IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1593 OF 2006

Anantrai Shantilal Shah & anr. ... Petitioners

V/s

The Municipal Commissioner & anr. ... Respondents

Mr. B.D'Souza for the petitioner.

Smt. A.R. Joshi for the Corporation.

CORAM: DR. D.Y. CHANDRACHUD, J.

DATED: 20TH JULY, 2006

P.C.:

1. The learned counsel appearing on behalf of the Municipal Corporation states that the developer had submitted a proposal for regularization and since he had demolished that part of the construction which was not according to law, the work for which a notice under Sec. 53(1) of the M.R.T.P. Act, 1966 was issued has been regularized and the notice is withdrawn. In view of the above statement, the learned counsel for the petitioner prays for leave to withdraw the petition with liberty to challenge the decision of the Corporation to regularise the construction and to withdraw the notice under Sec.

53(1). Leave granted, with liberty as prayed.

2. The learned counsel for the Corporation agrees to furnish to the learned counsel for the petitioner copies of the orders that have been passed in the matter of regularization within one week.

3. The petition is accordingly dismissed as withdrawn. No order as to costs.

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